

45-02689

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Howard E. Conrad Phone 432-5444Post Office address Rt. 1 Murtaugh, Idaho 83344**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)

in case of _____ vs _____

dated in _____ in _____ county of _____

(Name of court)

b. License No. 45-7035 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water groundwater tributary to _____4. Date of priority 2-28-1969

5. Water is used for the following purposes:

amount 5.79 for Irrigation purposes from 3/15 to 11/15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)6. Total amount of water under right: a. 5.79 cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15
Township 11S Range 21E, B.M., in Cassia County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	21E	16	40	40	40	40									40	40	40	40	320

Total number of acres to be irrigated 320

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
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Name of applicant Howard E. Conrad Phone 432-5444Post Office address Rt. 1 Murtaugh, Idaho 83344

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)

in case of _____ vs _____

dated in _____ in _____ county of _____

(Name of court)

b. License No. 45-7110 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water groundwater tributary to _____4. Date of priority 9-18-1972

5. Water is used for the following purposes:

amount 3.98 for irrigation purposes from 3/1 to 11/1amount .02 for stockwater purposes from 1/1 to 12/31amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)6. Total amount of water under right: a. 4.0 cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15Township 11S Range 21E B.M., in Cassia County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	21E	15					39	38	39	39	39	39	39	39					310

Total number of acres to be irrigated 310

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Howard E. Conrad Phone 432-5444

Post Office address Rt. 1 Murtaugh, Idaho 83344

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____ (Name of court)
- b. License No. 45-7374 Issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired : _____

3. Source of water groundwater tributary to _____
4. Date of priority 4-11-1979

5. Water is used for the following purposes:

amount 3.10 for irrigation purposes from 3/1 to 11/1

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 3.10 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15
Township 11S Range 21E, B.M., in Cassia County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	21E	10									40	40	36	39					155

Total number of acres to be irrigated 155

9. Describe any other water rights used for the same purpose as described above _____
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
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Name of applicant Howard E. Conrad Phone 432-5444

Post Office address Rt. 1 Murtaugh, Idaho 83344

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)

in case of _____ vs _____

dated in _____ in _____ county of _____ (Name of court)

b. License No. 45-2583 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water groundwater tributary to _____

4. Date of priority 6/19/1959

5. Water is used for the following purposes:

amount 1.82 for irrigation purposes from _____ to _____ not given on license

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 1.82 cubic feet per second &/or b. _____ acre feet per annum

7. Location of original point of diversion is SE 1/4 of SE 1/4 of Section 9

Township 11S Range 21E, B.M., in Cassia County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11S	21E	9			40	40				20					40	40	25	40	245

Total number of acres to be irrigated 245

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Howard E. Conrad Phone 432-5444

Post Office address Rt. 1 Murtaugh, Idaho 83344

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)

b. License No. 45-2689 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water groundwater tributary to _____

4. Date of priority 11/9/1962

5. Water is used for the following purposes: Not given on license
amount 5.82 for irrigation purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 5.82 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10
Township 11S Range 21E, B.M., in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	21E	9	40	40	40	40	37	40	40	40					40	40	40	40	477
		8	17																17

Total number of acres to be irrigated 494

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMA

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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Name of applicant Howard E. Conrad Phone 432-5444

Post Office address Rt. 1 Murtaugh, Idaho 83344

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____ (Name of court)
- b. License No. 45-7020 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water groundwater tributary to _____

4. Date of priority 4/6/1967

5. Water is used for the following purposes:

amount 3.76 for irrigation purposes from 4/1 to 11/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 3.76 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15
Township 11S Range 21E, B.M., in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	21E	8								10	38	20	40	40					148
		7															10	30	40

Total number of acres to be irrigated 188

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Howard E. Conrad Phone 432-5444Post Office address Rt. 1 Murtaugh, Idaho 83344**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 45-7238 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

_____**3. Source of water** groundwater tributary to _____**4. Date of priority** 5/2/1975**5. Water is used for the following purposes:**

amount 6.4 for irrigation purposes from 3/15 to 11/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 6.4 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 9
Township 11S Range 21E, B.M., in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	21E	18	40	40	40	40	39	38	39	40	40	39	39	40	40	40	40	40	634

Total number of acres to be irrigated 634**9. Describe any other water rights used for the same purpose as described above** _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS

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B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

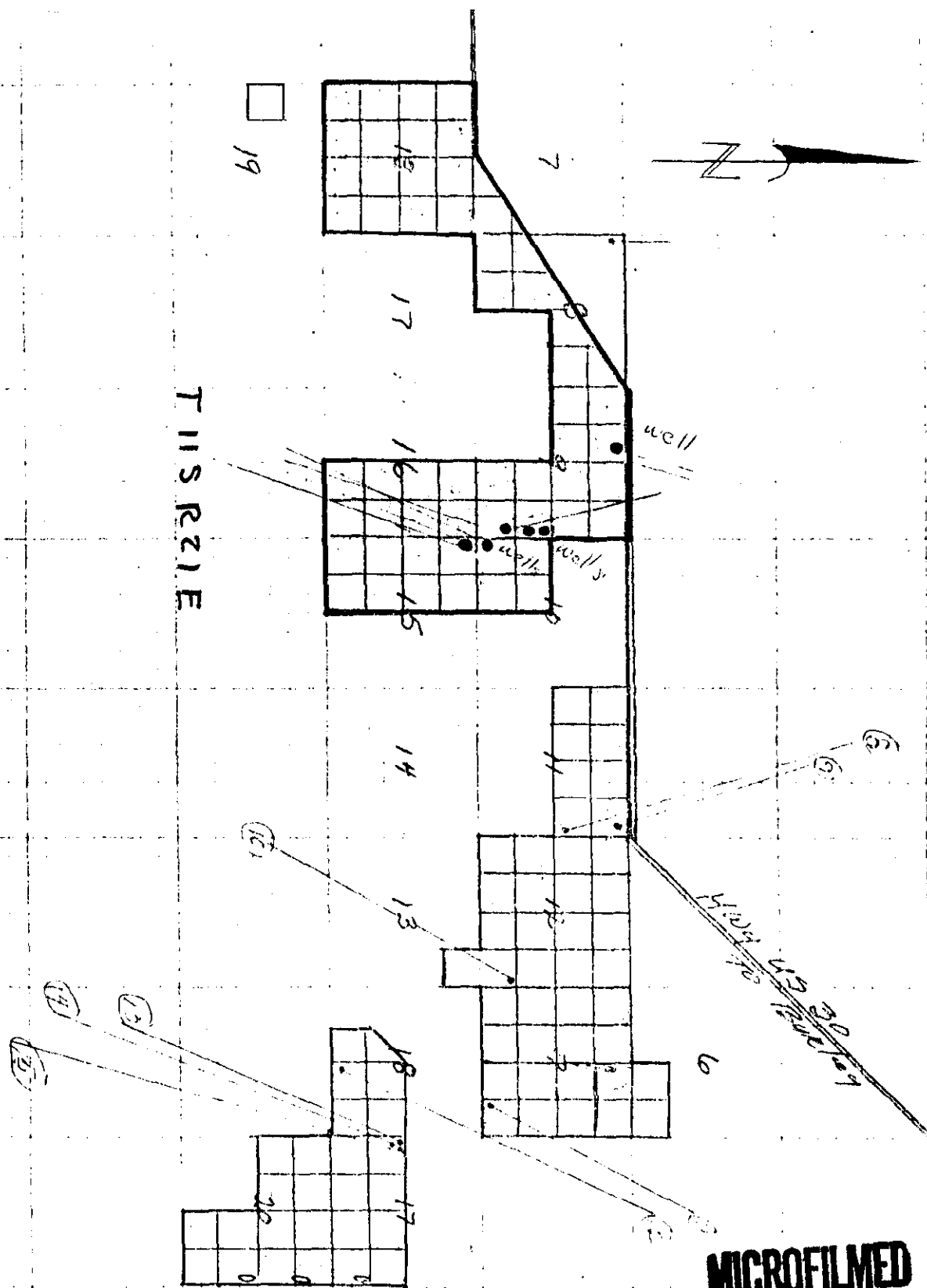
Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted 29.06 C.F.S. c.f.s. &/or _____ acre feet
- b. Description of diverting works WELLS, MOTORS, AND PUMPS
- c. Describe the reasons for the proposed changes CONSOLIDATING POINTS OF DIVERSIONS AS TO IRRIGATE ALL OF THE GROUND BY ONE COMMON SYSTEM.
2. Change in point of diversion
- Point of diversion 2pts-NE 1/4 SE 1/4, Section 9 Township 11S
Range 21 E, B.M., Cassia County
Additional points sese, sec 9, swsw, sec 10, nwnw, sec 15 nenw, sec 9 11s 21e
3. Change in place of use NO CHANGE
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

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4. Describe any other water rights used for the same purpose as described above. _____
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 27 day of June, 19 85

[Signature]
(Notary Public)

My commission expires 6.6

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

45-2583/2689/7020/
7035/7110/7238/7374

This is to certify that I have examined Application for Transfer of Water Rights No. 7035/7110/7238/7374 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 21st day of October, 1985

[Signature]
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by AF Date 6-27-1985 Protest filed by None

Prelim. check by ADM Fee 50.00 #36642

Receipted by AS Date 6-27-1985 # 36642

Published in South Idaho press Copies of protest forwarded by _____

Pub. dates 8/29 + 9/5/85 Hearing held by _____ Date _____

Watermaster recommendation requested on NA Recommended for approval denial

_____ rec'd. _____ by ADM Jim

MICROFILMED

State of Idaho
License and Certificate of Water Right

Water License No. G-30884 Amount 5.82 c.f.s.
Water District No. _____ Priority November 9, 1962

THIS IS TO CERTIFY that C. LEROY GARNER -Assignee MARY J. CONRAD
of Burley, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 14, 1963; that Permit No. G-30884
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
5.82 second feet, was issued thereunder on March 22, 1967, showing that said works
were completed on the 25th day of February, 1964; and that on the 25th
day of February, 1964, C. LEROY GARNER -Assignee MARY J. CONRAD

of Burley, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well,
a tributary of subterranean flow, for the purpose of irrigation
under Use Permit No. G-30884 of the Department of Reclamation,
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

14 of Licenses at page 8723, on the 22 day of March, 1967;
The right hereby confirmed dates from November 9, 1962;

The Point of Diversion is located
in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, Tp. 11 S., R. 21 E., B. M., Cassia County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 5.82 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	21 E.	8	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	17
		9	NE $\frac{1}{4}$	160	160
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	37
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			S $\frac{1}{2}$ NW $\frac{1}{4}$	80	80
			SE $\frac{1}{4}$	160	<u>160</u>
		Total number of acres to be irrigated:			494

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
22nd day of March, 1967.

s/ R. Keith Higginson
State Reclamation Engineer.

(SEAL)

+ 8724
K0

State of Idaho
License and Certificate of Water Right

Water License No. G-28276

Amount 1.08 c.f.s.

Water District No.

Priority February 30, 1960

THIS IS TO CERTIFY that RALPH S. WARD

of Twin Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 23, 1959; that Permit No. G-28276 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.08 second feet, was issued thereunder on March 22, 1967, showing that said works were completed on the 11th day of March, 1965; and that on the 11th day of March, 1965, RALPH S. WARD

of Twin Falls, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-28276 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

14 of Licenses at page 8724, on the 22 day of March, 1967;

The right hereby confirmed dates from February 30, 1960;

The Point of Diversion is located

in the SE 1/4 SW 1/4, Sec. 10, Tp. 11 S., R. 16 E., B. M., / Twin Falls County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.08 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	16 E.	10	SE 1/4 NW 1/4 NE 1/4 SW 1/4	40 20	39 29
			Total number of acres to be irrigated:		68

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

22nd day of March, 1967.

s/ R. Keith Higginson
State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. G-30884 Priority November 9, 1962 Amount 5.82 c.f.s.

THIS IS TO CERTIFY that C. LEROY GARNER- Assignee MARY J. CONRAD

of Burley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 14, 1963; that Permit No. G-30884 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 5.82 second feet, was issued thereunder on March 22, 1967, showing that said works were completed on the 25th day of February, 1964; and that on the 25th day of February, 1964, C. LEROY GARNER -Assignee Mary J. Conrad

of Burley, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well,

a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-30884 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses, at Page 8723, on the 22nd day of March, 1967.

The right hereby confirmed dates from November 9, 1962.

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 10, Twp. 11 S., R. 21 E., B.M., Cassia County.

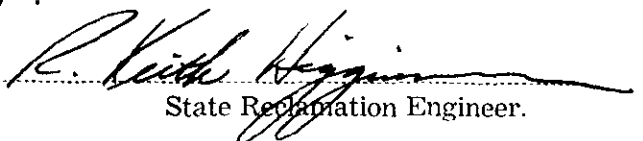
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 5.82 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	21 E.	8	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	17
		9	NE $\frac{1}{4}$	160	160
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	37
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			S $\frac{1}{2}$ NW $\frac{1}{4}$	80	80
			SE $\frac{1}{4}$	160	<u>160</u>
		Total number of acres to be irrigated:			

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 22nd day of March, 1967.


State Reclamation Engineer.

30884

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. G-30884

To Mary J. Conrad

Murtaugh, Idaho

Source of Supply Well, tributary

of subterranean flow

Cassia County

Amount 5.82 Sec. Ft.

Point of Diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10,

T. 11 S., R. 21 E., B.M.

Place of Use N $\frac{1}{2}$, SE $\frac{1}{4}$, Sec. 9;

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 11 S.,

R. 21 E., B.M.

Purpose Irrigation

Date of Priority November 9, 1962

Recorded March 22, 1967

in Book 14 of Licenses, Page 8723

30884

45-2689 & 30884
Assigned to Mary Jane Conrad
Burley Idaho

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38879
Permit No. G- 30884
District No.

Assigned to Mary Jane Conrad
Burley Idaho

1. Name of Applicant: C. LEROY GARNER
Postoffice address: R#2, Burley ^{250 So. Oakley Hwy} County: Cassia State: Idaho
2. Quantity of water claimed: Six (6) second feet
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean well
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 10
Twp. 11 S , Rge. 21 E. , B.M., County of Cassia
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Subterranean well, pump, ditches
8. Estimated cost of works: \$20,000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Some water is available to the land under Permit No. G-27993 but the water under G-27993 is not sufficient to irrigate the land and this to supplement water on part of the lands shown under Permit G-27993
(a) (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.
(b) (cubic feet per second, ~~inches or gallons per minute~~) is for new lands.

Remarks:

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ C. LeRoy Garner Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. November 9, 1962

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 30884

Recorded in Book 108 Page 30884 Approved January 14, 1963

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue deligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before July 14, 1965

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before January 14, 1968

Witness my hand this 14th day of January, 1968 s/ CARL E. TAPPAN, Assistant STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 14th day of January, 1963.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS Secretary of State.

By s/ ROBERT E. SMYLLIE Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11 S	21 E	10 9					x	x			x	x	x	x	x	x	x	x	160 240 400
ASSIGNMENT																			
For value received, I hereby assign 120 inches my right, title, and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. G30884 to MAXINE CALL GARNER of Burley, Cassia County, Idaho.																			
/s/ C. LeROY GARNER Permit Holder /s/ GLADYS C. GARNER Wife of Permit Holder																			
STATE OF IDAHO) County of) ss																			
On this 4th day of June, 1963, before me, a Notary Public for the State of Idaho, residing at Burley, Idaho personally appeared C. LeRoy Garner and Gladys C. Garner known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.																			
/s/ Norman H. Nielson Notary Public Residing at Burley, Idaho																			
My commission expires May 12, 1966																			

*Southeast Quarter, the South Half of the North Half of Section 9, Township 11 South, Range 21 E.B.M.

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-30884

Comes now C. LeROY GARNER, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-30884, and requests that the list of lands to be irrigated, as described in said permit, be changed to include as follows:

The Southeast Quarter of Section 9 and that portion of the South Half of the North Half of Section 9 not already included in said Permit No. G-30884 making a total of approximately 180 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Burley, Idaho, this 6 day of June, 1963

C. LeRoy Garner

/s/ By

Norman H. Nielson, His Attorney

Date of receipt at Office of Department of Reclamation June 7, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-30884. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ RALPH W. THOMAS

Deputy State Reclamation Engineer

Recorded: June 10, 1963

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. G-30884
Land List

Comes now C. LEROY GARNER and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-30884, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NW $\frac{1}{4}$, NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 9, Township 11 So., Range 21, E. B. M.; the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8, Township 11 South, Range 21 E., B. M., minus the following described property, to-wit: That part of the NE $\frac{1}{4}$ of Section 8, Township 11 South, Range 21, E. B. M., which lies north of U. S. Highway 30 and is more particularly described as follows: Beginning at the Northwest corner of the Northeast Quarter of Section 8, Township 11 South, Range 21 E. B. M.; thence South 1,790 feet more or less to the center line of U. S. Highway 30 South; thence northeasterly along said U. S. Highway 30 South to the Northeast corner of said Section 8; thence West 2,640 feet more or less to the point of beginning; which said tract contains 54 acres more or less, including the right of way for U. S. Highway 30 South and the County Road, making a total of 580 acres.

That an additional amount of water is not asked for and that the rights of others will not be adversely affected by such change.

Signed at Burley, Idaho, this 14th day of January, 1964.

C. LeROY GARNER

By Norman H. Nielson

Date of Receipt at office of Department of Reclamation January 21, 1964

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-30884. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s. RALPH W. THOMAS

, Deputy State Reclamation Engineer

A S S I G N M E N T ✓

✓ For value received, I hereby assign 120" of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-30884 to Mary J. Conrad of Murtaugh, Idaho.

/s/ Maxine Call Garner
Permit Holder
/s/ Leland J. Garner
Husband of Permit Holder

STATE OF IDAHO)
 : ss
County of)

On this 7 day of May, 1965, before me, a Notary Public for the State of Idaho, residing at Burley, Idaho personally appeared Maxine Call Garner and Leland J. Garner, known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

/s/ Norman H. Nielson
Notary Public Residing at Burley, Idaho

My commission expires: May 12, 1966

(SEAL)

A S S I G N M E N T ✓

✓ For value received, I hereby assign 180 inches of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-30884 to MARY J. CONRAD of Murtaugh, Idaho.

/s/ C. LeRoy Garner
Permit Holder
/s/ Gladys Garner
Wife of Permit Holder

STATE OF IDAHO)
) ss.
County of Cassia)

On this 25 day of June, 1965, before me, a Notary Public for the State of Idaho, residing at Burley, Idaho, personally appeared C. LE ROY GARNER, known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

/s/ Norman H. Nielson
Notary Public in and for Idaho
Residing at Burley, Idaho

My commission expires: May 12, 1966

STATE OF IDAHO)
) ss.
County of Cassia)

On this 13 day of July, in the year 1965, before me the undersigned, a Notary Public in and for said State, personally appeared Gladys Garner known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

/s/ Norman H. Nielson
Notary Public for Idaho, residing at Burley, Idaho

My commission expires: May 12, 1966

(SEAL)

N + 0

Mary J. Conrad

owns all of permit

G-30884

6.0 lbs for 590 Acres

Application for Amendment
LAND LIST
Permit No. G-30884

Comes now Mary J. Conrad, and represents to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-30884, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 11 S., R. 21 E., B.M.; N $\frac{1}{2}$ N $\frac{1}{2}$, Sec. 17; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18; SW $\frac{1}{4}$ (South of U.S. Hwy 30), Sec. 8, T. 11 S., R. 21 E., B.M., making a total of 590 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho this 16th day of December, 1965

/s/ Mary J. Conrad

Date of receipt at office of Department of Reclamation: December 16, 1965

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-30884. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: December 17, 1965

AMENDMENT TO LAND LIST

Comes now Mary J. Conrad and represents to the State Reclamation Engineer of the State of Idaho, That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-30884, and requests that the list of lands to be irrigated, as described in said Permit, be changed to read as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, N $\frac{1}{2}$, SE $\frac{1}{4}$, Section 9, T 11 S., R 21 E., B.M., making a total of 494 acres. That an additional amount of water is not asked for and that the rights of others will not be affected by such change.

Signed at Boise, this 16th day of January, 1967.

/s/ MARY J. CONRAD

Date of receipt at office of Department of Reclamation: January 16, 1967

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-30884. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said permit application is approved only insofar as the rights of others will not be affected thereby.

/s/ R. KEITH HIGGINSON

Permit No. G-30884
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that C. LEROY GARNER -Assignee MARY J. CONRAD of Burley, County of Cassia, and State of Idaho, the holder of Permit No. G-30884, issued upon Application No. G-38879 bearing date of priority of November 9, 1962, authorizing the diversion of 6.0 second feet of waters of a well, County of Cassia, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 5.82 second feet of the waters of a well, tributary of subterranean flow; that the point of diversion of said waters is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 11 S., R. 21 E., B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:

N $\frac{1}{2}$, SE $\frac{1}{4}$, Sec. 9; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 11 S., R. 21 E., B.M.

Proof of Completion of Works: February 25, 1964.

Witness my hand this 22nd day of March, A. D. 1967.

s/R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 5.82 SEC. FT.
LICENSE P43 NO. 8723

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

INTER-DEPARTMENT MEMO — 1

FROM *Sharla*

DATE *10/21/85*

TO *Files 45-2689/7020/7035/7110/7238/7374*

SUBJECT *T# 3205*

*See file 45-2583 for all correspondence regarding
the above referenced transfer.*

MICROFILMED

SIGNATURE

March 22, 1967

Re: Permit No. G-30884

Mary J. Conrad
Murtaugh, Idaho 83344

Dear Mrs. Conrad:

Enclosed is the Certificate of Completion of
Works and License and Certificate of Water Right
on the above numbered permit.

If we can be of any further help, please be
sure to contact us.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:dj

Enc: Certificates

C
O
P
Y

30884

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that C. Leroy Garner - Assignee Mary J. Conrad
of Burley, County of Cassia, and State of
Idaho, the holder of Permit No. G-30884, issued upon
Application No. G-38879, bearing date of priority of November 9, 1962, authorizing the
diversion of 6.0 second feet of waters of a well,

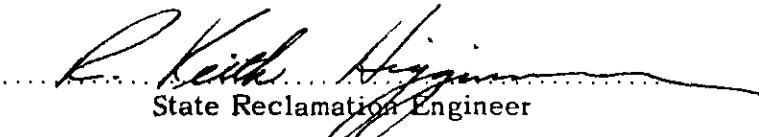
County of Cassia, State of Idaho, for irrigation
purposes, has fully complied with the provisions of the laws of the State of Idaho
relating to the proof of completion of the works of diversion set out and described in said
Permit; that said works are adequate for diverting and conveying to the place of intended
use 5.82 second feet of the waters of a well, tributary of
subterranean flow,

that the point of diversion of said waters is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10, T. 11 S.,
R. 21 E., B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
described as follows, to-wit: N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 9; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8, T. 11 S.,
R. 21 E., B.M.

Proof of Completion of Works: February 25, 1964.

Witness my hand this 22nd day of March, A. D. 19 67


State Reclamation Engineer

30884

Permit No. G-30884.....

Certificate of Completion
of Works.

Dated .. March 22....., 19 67....

Stream .. Well.....

County Cassia.....

Amount ... 5.82 c.f.s.....

Date of Priority November 9, 1962.

Recorded in Book . 108.....

of.....Permits... , page 30884....

February 28, 1967

RE: Permit No. G-30884

C.
O.
P.
Y.
C. LeRoy Garner
Rt 2
Burley, Idaho

Dear Mr. Garner:

Returned herewith is your check in the amount of \$28.00 covering the fees for the Certificate of Completion of Works and License and Certificate of Water Right on the above numbered permit.

This permit was assigned to Mary J. Conrad who is now the legal owner, and the Conrads came into the office and paid the fees on February 24, 1967.

Very truly yours,

M. Russell Bosch
Office Manager

MRS:mr

Enc. check

30884

RECEIVED
FEB 27 1967

Department of Reclamation

Burley, Idaho
2-23-67

State of Idaho
Dept. of Reclamation
Dear Sir:

Enclosed please find my check for \$28.⁰⁰
for the License and Certificate relative to
permit no. G 30884 referred to in your
letter of Feb. 20 1967. Thank you.

Very truly yours
Alexey Garner

30884

Rec. No. 4-11374

2-24-67

RECEIVED

February 20, 1967

RE: Permit No. G-30884

~~G. LeRoy Garner & Maxine Oall Garner~~
~~Route #2~~
~~Burley, Idaho~~

SEE ASSIGNMENT
~~ASSIGNMENT~~

Dear Mr. Garner:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-30884 shows the well(s) is (are) capable of conveying 291 miner's inches, or 5.82 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$ 28.00, we will issue the Certificate of Completion of Works for 5.82 c.f.s. and the License and Certificate of Water Right for 5.82 c.f.s. confirming the right, with priority of November 9, 1962, to the use of subterranean water with the point of diversion in SW1/4SW1/4, Sec. 10, T. 11 S, R. 21 E, B.M., for irrigation of 494 acres in NE1/4NE1/4, Sec. 8; N1/2, SE1/4, Sec. 9, T. 11 S, R. 21 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

12
5
17.00
18

30884

Rec. No. 4-11379

2-24-67

Permit Fee

\$, 7.00

given

February 20, 1967

RE: Permit No. G-30884

C. LeRoy Garner & Maxine Call Garner
Route #2
Burley, Idaho

SEE ASSIGNMENT
~~ASSIGNMENT~~

Dear Mr. Garner:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-30884 shows the well(s) is (are) capable of conveying 291 miner's inches, or 5.82 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$ 28.00, we will issue the Certificate of Completion of Works for 5.82 c.f.s. and the License and Certificate of Water Right for 5.82 c.f.s. confirming the right, with priority of November 9, 1962 to the use of subterranean water with the point of diversion in SW1/4SW1/4, Sec. 10, T. 11 S, R. 21 E, B.M., for irrigation of 494 acres in NE1/4NE1/4, Sec. 8; N1/2, SE1/4, Sec. 9, T. 11 S, R. 21 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

12
5
17.00
H

30884

January 23, 1967

RE: Permit G-30884

Mary J. Conrad
Murtaugh, Idaho

Dear Mrs. Conrad:

Enclosed please find amendment to the land list which has been recorded in this office under the above numbered permit.

Departmental receipt No. G-11240 in the amount of \$1.00 was given to you at the time you were in this office.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Amendment

30884

✓
Rec. No. 26-11240

Application for Amendment

LAND LIST

Permit No. G-30884

Fee \$1.00
RECEIVED
JAN 16 1967

Department of Reclamation

Comes now Mary J. Conrad, and represents

to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-30884, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8; N $\frac{1}{2}$, SE $\frac{1}{4}$, Sec. 9, T. 11 S., R. 21 E., B.M.

_____, making a total of 494 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at 1~~st~~ BOISE this 16th day of JANUARY, 1967

Mary J. Conrad

Date of receipt at office of Department of Reclamation January 16, 1967

APPROVAL OF STATE RECLAMATION ENGINEER

R. Keith Higginson

I, ~~XXXXXX~~, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-30884. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

R. Keith Higginson
State Reclamation Engineer

30884

January 11, 1967

RE: Permit No. G-30884

Mary J. Conrad
Murtaugh, Idaho

Dear Mrs. Conrad:

In checking the above numbered permit we find that a license has been issued for 91 miner's inches, or 1.82 c.f.s. under Permit No. G-27993 to irrigate 245 acres in the ~~SE1/4NW1/4~~, ~~S1/2NE1/4~~, ~~SE1/4~~, Sec. 9, T. 11 S., R. 21 E., B.M. with priority of June 19, 1959.

Our examiner found that you were irrigating 494 acres from the well in the ~~SW1/4SW1/4~~, Sec. 10, T. 11 S., R. 21 E., B.M. The well under Permit No. G-27993 is located in the ~~SE1/4SE1/4~~, Sec. 9. The land irrigated under Permit No. G-30884, according to what our examiner found, is the ~~NE1/4NE1/4~~, Sec. 8; ~~N1/4~~, ~~SE1/4~~, Sec. 9, T. 11 S., R. 21 E., B.M. Mr. Garner had amended the permit to include all of this land, it was advertised this way, and he made proof on all the land. We can issue the license covered by this permit for 200 inches of water if you will amend the permit back to cover the lands as shown above.

On December 16, 1965 you amended the permit to cover the lands in the ~~SE1/4~~, ~~S1/2NE1/4~~, ~~SE1/4NW1/4~~, Sec. 9, which was already covered under Permit No. G-27993, and the ~~N1/4NW1/4~~, Sec. 17; ~~NE1/4NE1/4~~, Sec. 18; ~~SW1/4~~, Sec. 8, T. 11 S., R. 21 E., B.M. We cannot see why you included the lands in the ~~SW1/4~~, Sec. 8 and those in Sec. 17 and 18 as they were not being irrigated from this well at the time of the examination and both wells only produce 291 inches to irrigate a total of 494 acres.

If you readvertise and make new proofs on this permit in accordance with the way you amended it in 1965 your priority date will be advanced to December 16, 1965 because you increased the amount of land and because this well is within the boundaries of the critical ground water area. We have enclosed a completed amendment to the land list as found by our examiner. If you decide to let the proofs of Mr. Garner stand and keep the priority of November 9, 1962 on this well please sign it and return to this office with \$1.00 recording fee.

30884

Mary J. Conrad - page 2

If you still wish to change the lands according to the amendment you made in 1965 and take the loss in priority then you should complete the enclosed Forms 11 and 36. You will have to readvertise and make new proofs. You should then disregard the enclosed amendment.

Please notify us promptly as to your intentions.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:MR

Enc. amendment
Forms 36, 11

C
O
P
Y

30884

RECEIVED
JAN 11 1967

Department of Reclamation

January 10, 1967

State of Idaho
Dept. of Reclamation

RE: Permit No. G-30884
Your letter dated 12/27/66

Donald J. Watts
Engineer

I would like to use the findings of the field examiners to make final proofs on this well that they inspected on July 13, 1965, but I want to amend the land list.

Would you please send to me a form to amend the land list, and then we will proceed on the proof.

Very truly yours,

Mary J. Conrad
Mary J. Conrad
Murtaugh, Idaho

30884

December 27, 1966

RE: Permit No. G-30884
C. Leroy Garner

Mary J. Conrad
Murtaugh, Idaho

Dear Mrs. Conrad:

On July 23, 1965 field examiners from this department inspected the works under Permit No. G-30884 in the name of C. LeRoy Garner and Maxine Call Garner. They were advised that you had purchased the water right and wished to have the proofs filed by the Garners withdrawn so that you could make certain changes and file your own proofs later. If this information is correct would you please advise us promptly so that the Garner proof can be withdrawn?

Very truly yours,

Donald J. Watts
Engineer

DJW:mr

30884

February 14, 1966

RE: License No. G-27993, Maxine Call Garner
Permit No. G-30884, Mary J. Conrad

Floyd J. Pickett
Pickett Ranch and Sheep Company
Oakley, Idaho

Dear Mr. Pickett:

In reply to your inquiry of February 12, we find the following:

G-27993- Maxine Call Garner, priority June 26, 1959; amount 6.4 c.f.s.; Point of Diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T. 11 S., R. 21 E., B.M.; land S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 9, T. 11 S., R. 21 E., B.M.; licensed for 1.82 c.f.s.; proof date April 16, 1962.

G-30884 - Mary J. Conrad, priority November 9, 1962; amount 6.0 c.f.s.; point of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 11 S., R. 21 E., B.M.; original land SW $\frac{1}{4}$, Sec. 10; S $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 9, T. 11 S., R. 21 E., B.M.; present land SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9; N $\frac{1}{2}$ N $\frac{1}{2}$, Sec. 17; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18; SW $\frac{1}{4}$ (south of highway 30), Sec. 8, T. 11 S., R. 21 E., B.M.; proofs are due January 14, 1968.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Donald J. Watts
Office Engineer

DJW:mr

30884

Pickett Ranch & Sheep Co.

MARION ROAD
OAKLEY, IDAHO

RECEIVED
RANCH - UNION 2-3482
FEB 14 1966

Department of Reclamation

February 12, 1966

State Department of Reclamation
107 State House
Boise, Idaho 83701

Dear Sir:

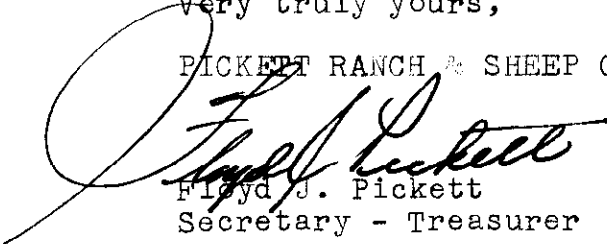
Information is requested on water permits numbers G 27993 and G 30884. I believe that these permits were held in the names of C. LeRoy Garner and his wife Maxine Call Garner.

Please send to us the following information for each permit. Priority dates, second feet of water applied for, point of diversion, the land to be irrigated with each well both original land and land to which the water may be transferred. If licenses have been issued please give dates of final proof and the amount of water licensed upon final proof.

Thanks for this information. If there is any cost for reasearch please bill us.

Very truly yours,

PICKETT RANCH & SHEEP CO.


Floyd J. Pickett
Secretary - Treasurer

FJP:m

3 0884

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-30884

REPORT ON PROOF OF Completion of Works & Beneficial Use

C. LeRoy Garner, Rt. #2, Burley, Idaho

Maxine Call Garner, Rt. #2, Burley

30884

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-30884

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant C. LeRoy Garner and Maxine Call Garner

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ Sec. 1 of Section 10
T. 11 S R. 21 E.B.M. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: 100 HP C.S. Motor

Ser. #1246527 Peerless Pump Ser. #193223

Discharge 12" steel pipe 15' to 36" dia concrete tower 15' Hg

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 9., NE $\frac{1}{4}$ Sec. 8., Twp. 11s S., Rge. 21 E.B.M. minus that part of the NE $\frac{1}{4}$ of Sec. 8., Twp. 11 S., Rge. 21 E.B.M., which lies North of U. S. 30 and is more particularly described as follows: Beginning at the NW corner of ~~NE $\frac{1}{4}$~~ NE $\frac{1}{4}$ of Sec. 8., Twp. 11 S., Rge. 21 EBM., thence south 1790 feet more or less to the center line of U. S. Highway 30 South; thence northeasterly along said U.S. Highway 30 South to the NE corner of said Sec. 8; thence west 2640 feet more or less to the point of beginning; which said tract contains 54 acres more or less, including right of way for U.S. Highway 30 South and the County Road, making a total of 580 acres.
(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? 505???

Remarks: Mr. Garner along

New owner Mr. Conrad requests ~~delay in proof~~ withdrawal of

ID 11 $\frac{7}{8}$ piec
Measured by Cox flow meter at 23.65 units x 110.75 Area = 2619 GPM =
291 $\frac{1}{2}$ inches or 5.82 cfs

This examination was made on the 13 day of July, 1965

(Signed)

Don Johnson

Examiner.

Don Johnson
Plat - 30884

C. LeRoy Garner and Maxine Call Garner
Route #2
Burely, Idaho

Permit No. G-30884

Examination for Completion of Works & Beneficial Use

County Cassia

Sec 10 T. 11S R. 21 EBM

Quantity: 6.0 cfs

Source: Well

P. D.: SWSW, 10-11S-21E

Use: Irrigation

Filed: 11-9-62

Due: 1-14-68

Extension:

Protest:

Completion of Works:

Other Rights:

+ G. 27993

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUL 21 1965

Department of Reclamation

30884

Rge. 21 E.B.M.

Twsp.	1/3.
-------	------

Area of Permit

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

288

Mary J. Conrad Permit G-30884

former C. LeRoy Garner permit

Field examination made 13 July 1965. (DWMc & LJ)

Mr. Garner along on examination. Later he requested the proofs be with drawn.

New owners, amended the permit to $SE\frac{1}{4}$, $S\frac{1}{2}$ $NE\frac{1}{4}$, $SE\frac{1}{4}$ $NW\frac{1}{4}$, Sec. 9 ; $N\frac{1}{2}$ $N\frac{1}{2}$, Sec. 17;
 $NE\frac{1}{4}$ $NE\frac{1}{4}$, Sec. 18 ; $SW\frac{1}{4}$, Sec. 8 (south of US 30) Twp. 11S. Rge. 21 E.B.M.
12/16/1965

New owners ,amended the permit to present form on 1/16/1967

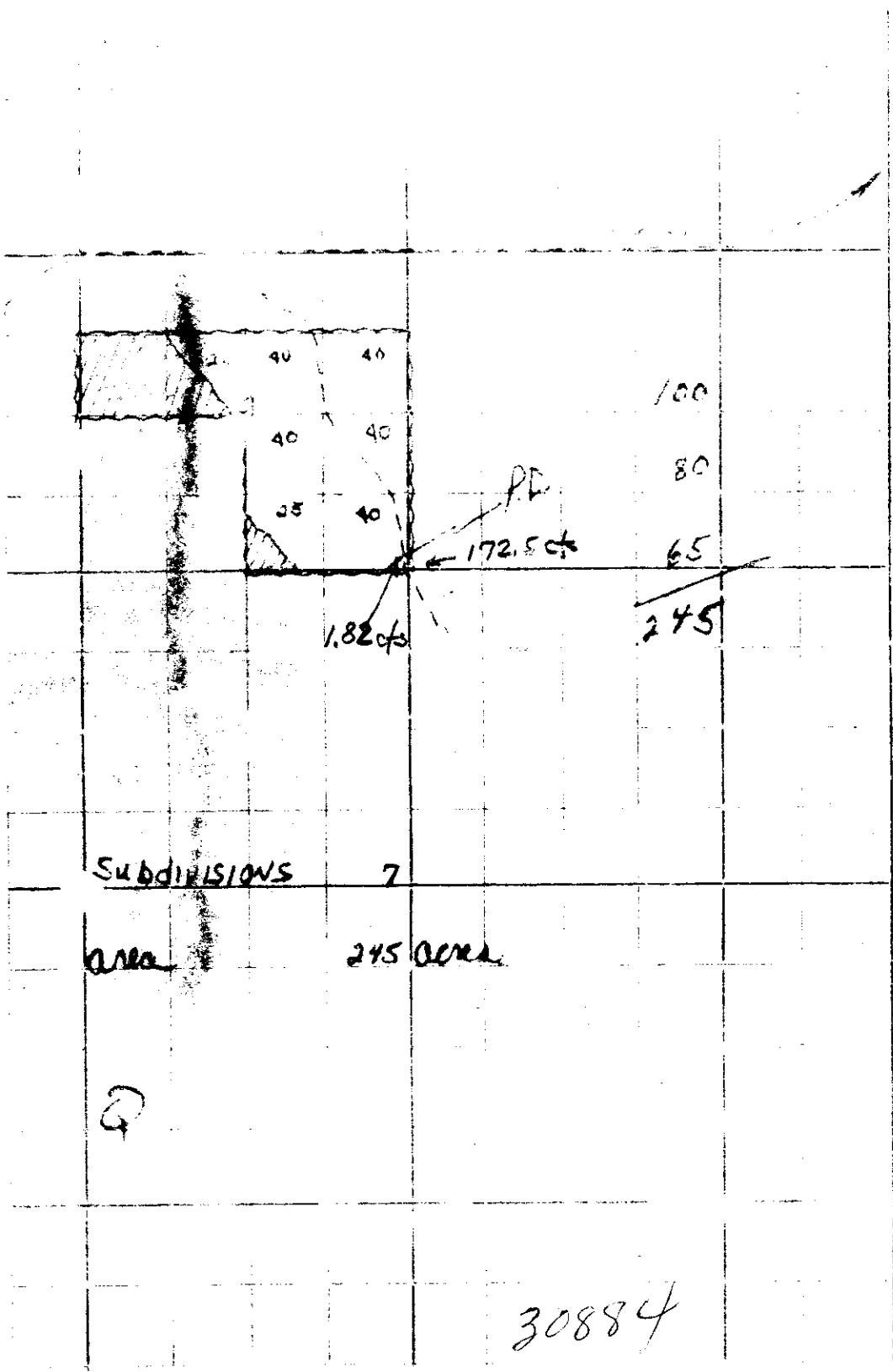
Permit may have to be readvertised. 2.

Is additional land being irrigated in the $NE\frac{1}{4}$ Section 8, Twp. 11S Range 21 E.B.M.? No

If so, from what source ? N.A.

Field examination made
2-1-67

2-7-67 DWMc



2. Describe water supply.

3. Describe works of diversion.

4. Describe works as they exist, giving dimensions and capacities of same.

Motor #1279637 Sayre & Bowler Pump #501614 no. open to 540
 head @ 1770 RPM 8" discharge into 8" gate valve into concrete
 distribution tower 6'x6' into open ditches 8"x50' channels 2x50'
 Casing h: 485' DD? Well depth 735'

5. Water is used for: Irrigation.
6. State whether or not water has been turned into works of diversion: *yes*
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S₁NE₁, S₂NW₁, SE₁ Sec. 9., Twp. 11 S., Rge. 21 E.P.M.

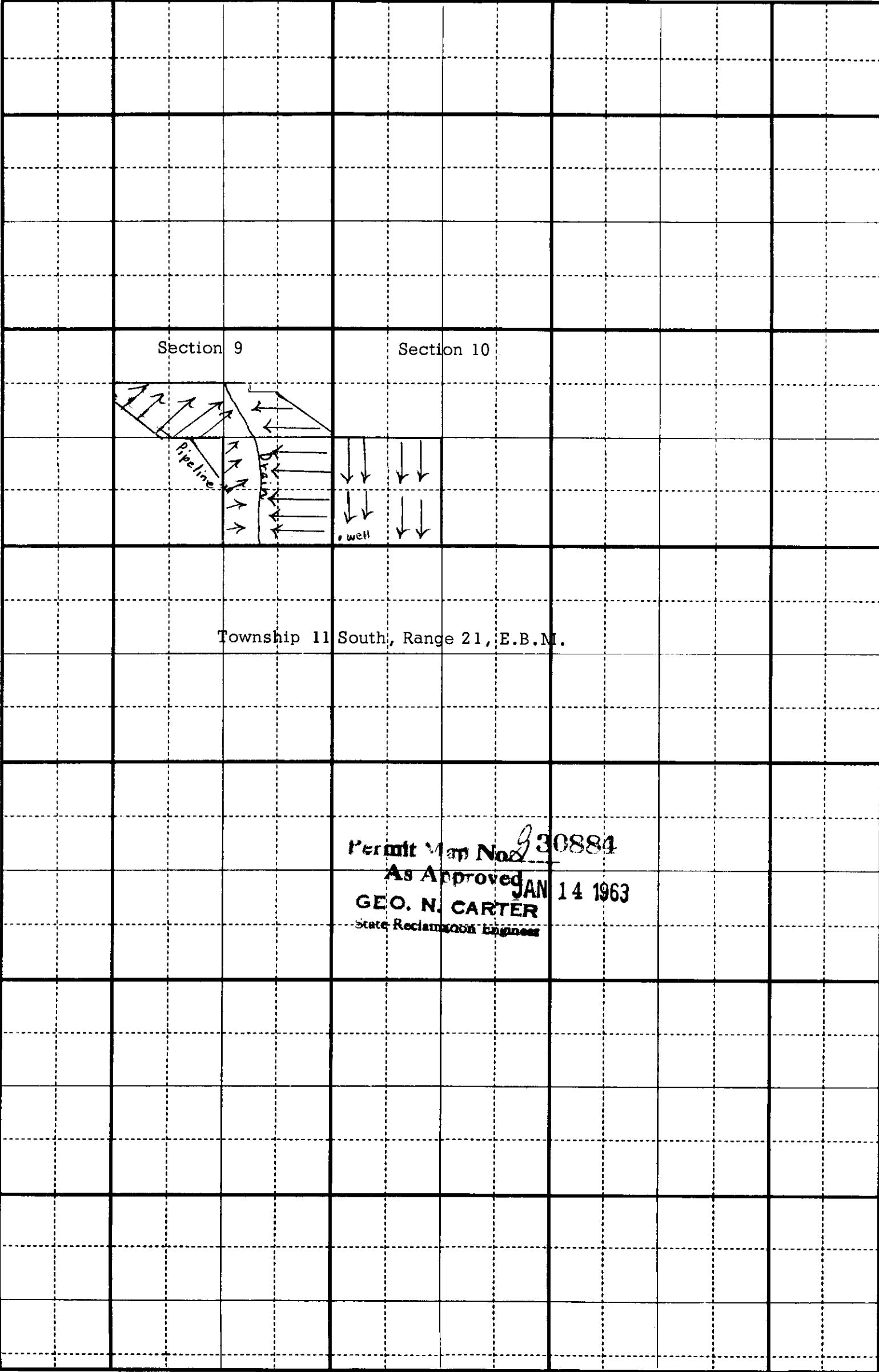
(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks *Yukon Island River along*

Measurement was made with Cippolletti weir
 1/2 over 2' weir = 91.0 inches

30884



SW SW Sec. 10

400 HP USMoto # 1246527

Pearless Pump # 193223

12" drill, to 10" Gate Valve unit.

8' x 140' ditch pipe into open ditch.

12" x 540' column 20' x 55'; 18" x 70' cog

h: 485'; dd?; well depth 545'

30884

December 17, 1965

RE: Permit No. G-30884

Mary J. Conrad
Murtaugh, Idaho

Dear Mrs. Conrad:

Enclosed are the assignments and amendment to the land list on the above numbered permit.

Also enclosed is departmental receipt No. G 10025 in the amount of \$1.00 covering the fee for recording the amendment. Departmental receipt No. G-10024 in the amount of \$1.00 for recording the assignments was given to you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. assignments 2
amendment
receipt

3088 ✓

8-10024
9/1/65
RECEIVED
DEC 16 1965

ASSIGNMENT

For value received, I hereby assign 120 " of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 230884 to MARY J CONRAD of Max Trench, Idaho

* _____

Maxine Call Garner
Permit Holder

Leland J. Garner
Wife of Permit Holder

STATE OF IDAHO)
County of)

On this 17 day of May, 1965, before me, a Notary Public for the State of Idaho, residing at Burley, Idaho personally appeared Maxine Call Garner and Leland J. Garner, are known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

Harold J. Jackson
Notary Public
Residing at Burley, Idaho

My commission expires: May 12, 1966

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions

30884

RECEIVED
DEC 16 1965
Department of Notary Public

ASSIGNMENT

For value received, I hereby assign 180 inches of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G 30884 to MARY J. CONRAD of Murtaugh, Idaho.

C. Le Roy Garner
Permit Holder

Gladys Garner
Wife of Permit Holder

STATE OF IDAHO }
County of Cassia } ss.

On this 25 day of June, 1965, before me, a Notary Public for the State of Idaho, residing at Burley, Idaho, personally appeared C. LE ROY GARNER and ~~EDDIE GARNER~~, known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

Harmon H. Nichols
Notary Public in and for Idaho
Residing at Burley, Idaho

My Commission Expires:
May 12, 1966

200—ACKNOWLEDGMENT—SINGLE

Printed and for sale by State-Tech Company, Boise, Idaho

STATE OF IDAHO }
COUNTY OF Cassia } ss.

On this 13 day of July, in the year 1965, before me the undersigned, a Notary Public in and for said State, personally appeared GLADYS GARNER

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Harmon H. Nichols
Notary Public for Idaho, residing at Burley, Idaho.

My commission expires:
May 12, 1966

30884

Application for Amendment

RECEIVED
DEC 16 1965

LAND LIST

Department of Reclamation

Permit No. 30884

I, Wm. J. Conrad, and represents
as State RECLAMATION ENGINEER of the State of Idaho:

Amendment is the owner and holder of Permit to appropriate the Public Waters of the
State of Idaho, No. 30884, and requests that the list of lands to be irrigated,
as described in said permit, be changed to read as follows:

SE 1/4 NE 1/4, SE 1/4 NW 1/4 Sec 9 11S R21E BM
NE 1/4 NE 1/4 Sec 18, SW 1/4
Sec 8 11S 21E B.M.

making a total of 590 acres.

The amendment to the permit is not asked for, and that the rights of others
will not be adversely affected by such change.

Witness my hand and seal this 16 day of December, 1965

Wm. J. Conrad

Date of receipt at office of Department of Reclamation: December 16, 1965

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy

I, ~~XXXXXXXXXX~~, State Reclamation Engineer of the State of Idaho, hereby approve
the above and foregoing application for amendment to Permit to appropriate the Public
Waters of the State of Idaho, No. G-30884. This approval constitutes a new permit
and is issued as an amendment to the original permit, to which it refers, and of which
it becomes a part, and said application is approved only insofar as the rights of others
will not be adversely affected thereby.

Ralph W. Thomas

Deputy State Reclamation Engineer

Recorded: December 17, 1965

30884

500 - July 8, 1964

July 22, 1965

RE: Permit No. G-30884

C. LeRoy Garner
Rt 2
Burley, Idaho

Dear Mr. Garner:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-30884 shows the well is ~~xxx~~ capable of conveying 291 miner's inches, or 5.82 c.f.s. of water for the irrigation of 494 acres.

Upon receipt of the statutory fees, totaling \$ 31.00 , we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of November 9, 1962 , to the use of 5.82 second feet of subterranean water with the point of diversion in the SW~~1~~SW~~4~~, Sec 10 for irrigation of 494 acres in the NE~~1~~NE~~4~~, Sec. 8; N~~1~~2, Sec. 9, SE~~1~~4, Sec. 9, T. 11 S., R. 21 E., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

30884

April 15, 1965

Permit No. 30884
C. LeRoy Garner

Nielson & Nielson
Attorneys at Law
Box 367
Burley, Idaho

Attn: Norman H. Nielson

Dear Mr. Nielson:

We do not have the report of field examination of the works under above noted permit.

Assignment of the permit can be made to cover any of the land shown in the legal notice, NW $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 9, portion of NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, lying South of U. S. Highway 30 all in T. 11 S., R. 21 E. After the Water License is issued, the place of use of the water can be changed by application to this office. I find there is probably an error in the last amendment to the land list which shows the Fr. NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8 land lying South of the Highway and the deposition of Mr. Garner shows 40 acres irrigated. If the land should have been fraction of NE $\frac{1}{4}$, Sec. 8, north of highway, the place of use can be changed by application after the license is issued or the proofs made February 25, 1964, can be withdrawn, permit amended and new legal notice of intention to make proof can be published.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

30884

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

RECEIVED
APR 15 1965

Department of Reclamation

April 14, 1965

Department of Reclamation
State House
Boise, Idaho

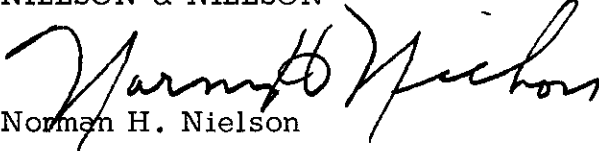
Gentlemen:

We have sent to your office a Proof on Permit No. G-30884 in the name of C. LeRoy Garner. A license has not been issued on this permit, and we desire that you withhold the granting of a license on this permit, as Mr. Garner may wish to assign 75 miner's inches of this water.

Would you please inform us if this is satisfactory with your Department.

Very truly yours,

NIELSON & NIELSON


Norman H. Nielson

NHN:kp

30884

December 11, 1964

Re: Permit No. G-30884
C LeRoy Garner

A. L. Blandford
Lawyer
Kimberly, Idaho

Dear Mr. Blandford:

Mr. Garner has completed proofs of completion of works and beneficial use of the water under above noted permit. In his deposition, he claims his well in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 11 S., R. 21 E, discharge 6.0 c.f.s.

The field examination was one of a number which has not been completed and we cannot confirm the amount pumped.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

30884

BLANDFORD & BLANDFORD
LAWYERS

J. H. BLANDFORD
TWIN FALLS, IDAHO

A. L. BLANDFORD
KIMBERLY, IDAHO

December 10, 1964

RECEIVED
DEC 11 1964
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

C. LeRoy Garner is the owner of an irrigation well located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 11 South, Range 21 E.B.M., Cassia County, Idaho. The land is actually owned by other parties.

If a water license has been issued for this well, please let me know the number of inches of water appropriated.

Thank you.

Yours very truly,

BLANDFORD AND BLANDFORD

by

A. L. Blandford

ALB:ld

30884

1M April 1962

March 1, 1961

Re: Permit NO. ~~G-30884~~

Mr. C. LaRoy Garner
Route #2
Burley, Idaho

Dear Mr. Garner:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the BURLEY HERALD-BULLETIN, all submitted in proof of completion of works and beneficial use on Permit No. ~~G-30884~~

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours ,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

cc: EPP.
Norman H. Nielson
Nielson & Nielson
Attorneys and Counselors at Law
Burley, Idaho

30884

RECEIVED
MAR 2 1964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. G 30884

* * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

~~and Completion of Works~~

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address: _____

C. LeRoy Garner and Maxine Call Garner, Rt. #2, Burley, Idaho, Farmer, Burley, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; No. G 30884 November 9, 1962 - November 9, 1962

Ques. 4. State source of water supply: A Subterranean Well
Give location of point of diversion, showing subdivision, section, township and range:

SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 10, Township 11 So., Range 21, E.B.M.

Ques. 5. Describe your works of diversion: Consists of a pipeline and open ditches

_____ ; state amount of water they are capable of conveying from point of diversion to place of use 8 second ft; Give name of canal or ditch or other works by which water is conducted to such place of use: Pipeline and open ditches

_____ ; if a well, state depth of well 555 ft. ; depth and size of casing: 20 in. casing down 65 ft. open hole to 305 ft. ; if pump is used, 18 in. casing 305 to 465 ft. ; depth to water 480 ft. ; if pump is used,

state discharge of pump: 6 cu. ft. per second ; tell how it was measured or determined: _____
by use of weir _____ ; if sprinkler irrigation, give number and size of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: used for irrigation
If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water : 160 acres is irrigated in the NW $\frac{1}{4}$; 160 acres in the NE $\frac{1}{4}$; and 160 acres in the SE $\frac{1}{4}$ of Section 9 , Township 11

South, Range 21, E.B.M. ; 40 acres in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8, Township 11

(See back of sheet

South, Range 21 E.B.M. minus the following described property, to-wit: *
State nature of all improvements which have been made as a direct result of said use:

two wells have been drilled at a cost of \$15,000.00; a pump has been installed at a cost of \$23,000.00; leveling has been done at a cost of \$6,000.00; ditches have been installed at a cost of \$2,000.00; 3/4 miles of pipeline have been installed at a cost of \$3,000.00. The ground has been reclaimed from desert ground and the ground generally put into cultivation.

30884 ER

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: The well was drilled by C. LeRoy Garner

Ques. 7. If for other than irrigation purposes, state purpose and how used:
Water is used for irrigation and no other purpose. The entire 6 cu. ft. per second is necessary for the proper irrigation of the above described premises.

Ques. 8. What is the minimum amount of water required for the purpose specified above:

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

The deponent was the original person to whom said permit was issued

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: July of 1962 Time used since first use:

Has been used continuously during the cropping season of 1962 and 1963 after July of 1962.

Ques. 11. Describe all other water rights appurtenant to same place of use:
There are no other water rights which are appurtenant to the above described property other than that is produced from the said well.

(sign) C. LeRoy Garner

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Burley, County of Cassia

State of Idaho, on this 25th day of February, A.D. 1964.

Wm H. Gibson
Notary Public in and for Idaho
Residing at Burley, Idaho

My Commission expires: May 12, 1966

(Continued from *) That part of the NE¹/₄ of Section 8, Township 11 So., Range 21, E.B.M. which lies north of U. S. Highway 30.

RECEIVED
MAR 8 1964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Reclamation

BOISE, IDAHO
Permit No. G 30884

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case

Ques. 1. State your name, age, residence, occupation and postoffice address:

Wade Baker, 48 yrs. of age, Rt. #2, Burley, Idaho,

Farmer, Rt. #2, Burley, Idaho

Ques. 2. Are you acquainted with C. LeRoy Garner, the holder of
Permit No. G 30884 ? How long have you known him and where does he reside:

I have known C. LeRoy Garner for approximately 40 years. He resides at Burley, Idaho

Ques. 3. Have you read or heard said Permit No. G 30884 read, and are you familiar
with its provisions and conditions: Yes: X No: _____

Ques. 4. State source of water supply: Subterranean Well
State place of diversion: SW¹/₄ of the SW¹/₄ of Section 10, Township 11 So., Range 21 E.B.M.

Describe works for conveying water to place of use: Water is conveyed by the use of a
pipeline and open ditches.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 6 second ft. of water How much water have you seen being so
conveyed: 6 second ft. of water

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

All of the NW¹/₄; all of the NE¹/₄ ; all of the SE¹/₄ of Section 9, Township 11 South, Range
21 E.B.M. and the NE¹/₄ of the NE¹/₄ of Section 8, Township 11 South, Range 21, E.B.M.
can be irrigated with the exception of that ground lying North of U. S. Highway 30.

30884

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation:

The land has been reclaimed from desert land ground and has been placed into cultivation and crops grown thereon; that the 6 second ft. of water is required to profitably cultivate the ground described in this deposition.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: I have no interest whatsoever in the lands, works or water that is described in this deposition

Ques. 10. When did you first see this water used: July of 1962

Other times you have seen such use: I have been on the land at least 50 times and have observed the water used for beneficial use on the lands described in this deposition.

(Signed)

Wade Baker

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley

 , County of Cassia, State of Idaho, on this 25th day of February,

A. D., ~~1962~~ 1964.

Wm H. Harrison

Notary Public for State of Idaho

Residing: Burley, Idaho

My commission expires: May 12, 1966

RECEIVED
MAR 2 1964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Reclamation

BOISE, IDAHO

Permit No. G 30884

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case

Ques. 1. State your name, age, residence, occupation and postoffice address:

Larry D. Gerratt, 25 yrs. of age, 1811 Oakley Ave., Burley, Idaho

Salesman, 1811 Oakley Ave., Burley, Idaho

Ques. 2. Are you acquainted with C. LeRoy Garner, the holder of

Permit No. G 30884 ? How long have you known him and where does he reside:

I have known C. LeRoy Garner for approximately 10 years and he resides at Burley, Idaho

Ques. 3. Have you read or heard said Permit No. G 30884 read, and are you familiar

with its provisions and conditions: Yes: X No: _____

Ques. 4. State source of water supply: Subterranean Well

In SW¹/₄ of the SW¹/₄ of Section 10, Township 11 So., Range 21

State place of diversion: E.B.M.

Describe works for conveying water to place of use: Water is conveyed by the use of a pipeline and open ditches.

Ques. 5. How many second feet of water do you estimate said works will safely conduct

to place of use: 6 second ft. of water How much water have you seen being so

conveyed: 6 second ft. of water

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving full legal description: All of the NW¹/₄; all of the NE¹/₄; all of the SE¹/₄ of Section 9, Township 11 So., Range 21, E.B.M. and the NE¹/₄ of the NE¹/₄ of Section 8, Township 11 So., Range 21, E.B.M. can be irrigated with the exception of that ground lying North of U. S. Highway 30.

30884

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation:

That the land has been reclaimed from desert land ground and has been placed into cultivation and crops grown thereon; that the 6 second ft. of water is required to profitably cultivate the ground described in this deposition.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: I have no interest whatsoever in the lands, works or water that is described in this deposition.

Ques. 10. When did you first see this water used: July of 1962

Other times you have seen such use: I have been on the lands on numerous occasions and have seen the water delivered from the well described in this deposition to the lands for irrigation.

(Signed)

Larry D. Genard

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley

 , County of Cassia, State of Idaho, on this 25th day of February,

A. D., ~~1962~~ 1964.

Harmon H. Nielson

Notary Public for State of Idaho

Residing: at Burley, Idaho

My commission expires: May 12, 1966

30884

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

R. C. Ostrander

, being first

duly sworn, deposes and says that he is the
Business Manager of Burley Herald-
Bulletin, a weekly newspaper published at Burley,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing

with the issue dated Jan. 31, 1964 and

ending with the issue dated Feb. 21, 1964.

R. C. Ostrander

Subscribed and sworn to before me this
24th day of Feb., 1964

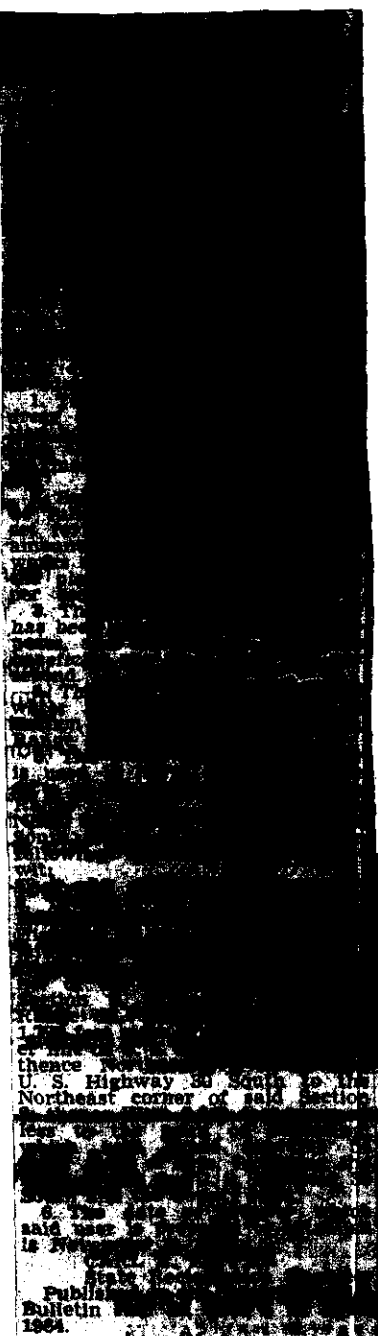
Dorothy L. Gadd Notary Public

RECEIVED
MAR 2 1964

Department of Revenue

MY COMMISSION EXPIRES
APRIL 24, 1965

30884



The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

R. C. Ostrander

, being first

duly sworn, deposes and says that he is the

Business Manager of Burley Herald-Bulletin, a weekly newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of Burley Herald-Bulletin for

four (4)

consecutive weeks, commencing

with the issue dated Jan. 31, 1964, and

ending with the issue dated Feb. 21, 1964.

Subscribed and sworn to before me this

24th day of Feb., 1964

Notary Public

64-27

NOTICE OF PROOF OF COMPLETION OF WORKS

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 25th day of February, 1964, at Burley, County of Cassia, State of Idaho, before Norman B. Nielsen, Notary Public, at Four Bldg. Burley, Idaho, proof will be submitted of the completion of works for the diversion of 6 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30884, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is C. Leroy Garner, Burley, Idaho and Maxine Carl Garner, Burley, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 6 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 6 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 10, Township 11 South, Range 21 E.B.M.

5. The place where said water is used is NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 9, Township 11 South, Range 21, E.B.M.; the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8, Township 11 South, Range 21 E.B.M., minus the following described property to-wit:

That part of the NE $\frac{1}{4}$ of Section 8, Township 11 South, Range 21 E.B.M. which lies north of U. S. Highway 30 and is more particularly described as follows:

Beginning at the Northwest corner of the Northeast Quarter of Section 8, Township 11 South, Range 21, E.B.M.; thence South 1,790 feet more or less to the center line of U. S. Highway 30 South; thence Northeasterly along said U. S. Highway 30 South to the Northeast corner of said Section 8; thence West 2,640 feet more or less to the point of beginning which said Tract contains 64 acres more or less, including the right-of-way for U. S. Highway 30 South and the County road.

6. The date of priority which said user is prepared to establish is November 9, 1962.

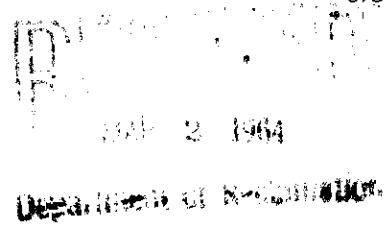
CARL E. TAPPAN
State Reclamation Engineer
Published in the Burley Herald-Bulletin Jan. 31, Feb. 7, 14 & 21, 1964.

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

February 28, 1964

TELEPHONE
678-5574



Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Enclosed you will find the Depositions of Holder and
Witnesses under Permit No. G 30884 of the Proof of Application of
Water to Beneficial Use.

Would you please process this application.

Very truly yours,

NIELSON & NIELSON

Norman H. Nielson
Norman H. Nielson

NHN:mh
Encl.

30884

Re: Permit No. G-30884,
C. L. & Maxine Call Garner

Mr. Norman H. Nielson,
Attorney at Law,
P. O. Box 367,
Burley, Idaho.

Dear Mr. Nielson:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-30884, in the name of C. LeRoy & Maxine Call Garner. Final Proof is to be made before you, as Notary on the 25th day of February, 19 64, at 10:00 o'clock A.M., at Potts Building, Burley, Idaho.

As of this date, we have mailed the Notice to the Herald Bulletin Burley, Idaho, with instructions to publish it once a week for 7 consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done hereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

30884

Re: Permit No. G-30884
C. LeRoy & Maxine Call Garner

Date: Jan. 27, 1964

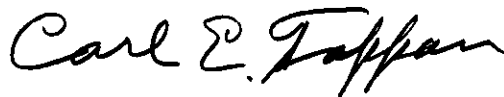
Herald Bulletin,
Burley, Idaho

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to February 25, 1964 the date set for proof; the expense of the publication is to be paid by the applicant's attorney, Norman H. Nielson of P.O.Box 367, Burley, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,



CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

CET:pmk

30884

**NOTICE OF PROOF OF
COMPLETION OF WORKS
and
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A.M., on the 25th day of February, 1964, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, Notary Public, at Fouts Bldg., Burley, Idaho, proof will be submitted of the completion of works for the diversion of 6 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30884, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is C. I. Roy Garner, Burley, Idaho and Maxine Call Garner, Burley, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 6 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 6 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 10, Township 11 South, Range 21 E.B.M.

5. The place where said water is used is NW $\frac{1}{4}$, NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 9, Township 11 South, Range 21, E.B.M.; the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8, Township 11 South, Range 21 E.B.M., minus the following described property to-wit:

That part of the NE $\frac{1}{4}$ of Section 8, Township 11 South, Range 21 E.B.M., which lies north of U. S. Highway 30 and is more particularly described as follows:

Beginning at the Northwest corner of the Northeast Quarter of Section 8, Township 11 South, Range 21, E.B.M.; thence South 1,790 feet more or less to the center line of U. S. Highway 30 South; thence Northeasterly along said U. S. Highway 30 South to the Northeast corner of said Section 8; thence West 2,640 feet more or less to the point of beginning; which said Tract contains 54 acres more or less, including the right-of-way for U. S. Highway 30 South and the County road.

6. The date of priority which said user is prepared to establish is November 9, 1962.

CARL E. TAPPAN
State Reclamation Engineer
Published in the Burley Herald-Bulletin Jan. 31, Feb. 7, 14 & 21, 1964.

JAN 24 1964

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

JAN 21 1964

Department of Reclamation

Department of Reclamation

Notice is hereby given that at 10:00 A.M., on the 25th day of February
1964, at Burley, County of Cassia, State of Idaho,
before Norman H. Nielson, Notary Public, at (address) Fouts Bldg.,
Burley, Idaho, proof will be submitted of the completion of works for
the diversion of 6 cubic feet per second of underground water from a well, and of
the application to beneficial use of said water, in accordance with the terms and
conditions of Permit No. G-30884, heretofore issued by the Department of Reclamation
of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is C. LeRoy Garner, Burley, Idaho and Maxine Call Garner, Burley, Idaho

2. Said works of diversion will be fully completed on the date set for such com-
pletion, and the amount of water which said works are capable of conveying to the place of
use is 6 cubic feet per second.

3. The use to which said water has been applied is irrigation
purposes, and the amount applied to beneficial use is 6
cubic feet per second.

4. The point of diversion of said water is SW¹/₄ of the SW¹/₄ of Section 10, Township
11 South, Range 21 E.B.M.

5. The place where said water is used is [REDACTED]

NW¹/₄; NE¹/₄ and the SE¹/₄ of Sec. 9, Township 11 South, Range
21, E.B.M.; the NE¹/₄ of the NE¹/₄ of Section 8, Township
11 South, Range 21 E.B.M., minus the following described
property, to-wit:

That part of the NE¹/₄ of Section 8, Township 11 South, Range
21 E.B.M., which lies north of U. S. Highway 30 and is more
particularly described as follows:

Beginning at the Northwest corner of the Northeast Quarter of
Section 8, Township 11 South, Range 21, E.B.M.; thence
South 1,790 feet more or less to the center line of U. S.
Highway 30 South; thence Northeasterly along said U. S.
Highway 30 South to the Northeast corner of said Section 8;
thence West 2,640 feet more or less to the point of beginning;
which said Tract contains 54 acres more or less, including the
right-of-way for U. S. Highway 30 South and the County road.

30884

RECEIVED
JAN 24 1964
JAN 21 1964
Department of Reclamation
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 14, 1964
(P. O.) Burley, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Herald Bulletin of
Burley, Idaho published in the
county in which the works are situated.

C. LeRoy Garner
By *James H. Fisher*

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the
attached notice are true.

Engineer

30884

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

January 23, 1964

TELEPHONE
678-5574

Department of Reclamation
107 State House
Boise, Idaho

Re: Permit No. G-30884 - C. LeRoy Garner, Maxine Call Garner

Gentlemen:

Enclosed is corrected Form No. 36 and From No. 11
regarding the above permit. Will you please take care of this.

Very truly yours,

NIELSON & NIELSON

Norman H. Nielson

NHN:mh
Encl.

30884

January 23, 1964

Re: Permit No. G-30884
C. LeRoy Garner

Norman H. Nielson
Attorney at Law
P. O. Box 367
Burley, Idaho

Dear Mr. Nielson:

Enclosed is the Application for Amendment to the land list on Permit No. G-30884, C. LeRoy Garner, which has been recorded in this office.

Also enclosed is departmental receipt No. G-8518 in the amount of \$1.00 covering fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. application for
amendment
receipt

30884

Application for Amendment
To Permit to Appropriate the Public Waters
of the State of Idaho, No. G-30884.

Comes now C. LEROY GARNER, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-30884, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

Sec. 9, Township 11 So.
NW¼; NE¼ and the SE¼ of Range 21, E.B.M.; the NE¼ of the NE¼ of Section 8, Township 11 South, Range 21 E.B.M., minus the following described property, to-wit: That part of the NE¼ of Section 8, Township 11 South, Range 21 E.B.M., which lies north of U. S. Highway 30 and is more particularly described as follows: Beginning at the Northwest corner of the Northeast Quarter of Section 8, Township 11 South, Range 21, E.B.M.; thence South 1,790 feet more or less to the center line of U. S. Highway 30 South; thence Northeasterly along said U. S. Highway 30 South to the Northeast corner of said Section 8; thence West 2,640 feet more or less to the point of beginning; which said Tract contains 54 acres more or less, including the right-of-way for U. S. Highway 30 South and the County road.

, making a total of 580 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Burley, Idaho, this 14th day of January, 1964.

C. LeRoy Garner
By [Signature]

Date of receipt at office of Department of Reclamation January 21, 1964

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-30884. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 108 of
Permits, at Page 30884
January 22, 1964

Deputy State Reclamation Engineer

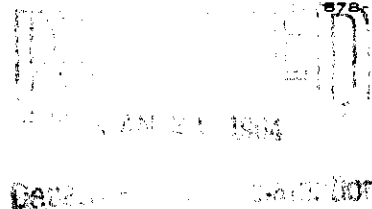
30884

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

January 20, 1964

TELEPHONE
878-5574



Department of Reclamation
Statehouse
Boise, Idaho

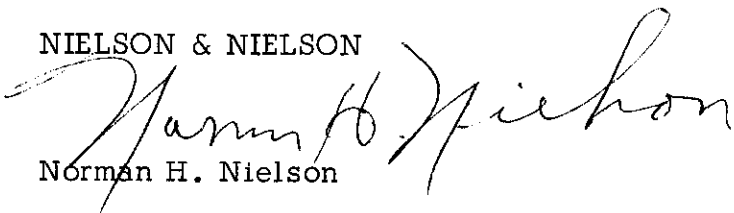
Gentlemen:

Enclosed you will find Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-30884, Application for Amendment to Permit to Appropriate the Public Water of the State of Idaho, No. G-30884, and Form No. 11 for publication in the Herald Bulletin at Burley, Idaho, together with our check in the amount of \$1.00 for the amendment.

Would you please process this notice.

Very truly yours,

NIELSON & NIELSON


Norman H. Nielson

NHN:mh
Encl.

307884

January 21, 1964

Re; Permit No. G-30884
C. LeRoy Garner
Maxine Call Garner

Nielson & Nielson
Attorneys at Law
P. O. Box 367
Burley, Idaho

Attn: Norman H. Nielson

Dear Mr. Nielson:

Returned herewith are two Forms 36 with attached land description and accompanying Form 11. The land list amendment has been approved and will be recorded.

The permit claims 6.0 c.f.s as shown on Form 36, however Mr. Garner assigned 120 miners inches to Maxine Call Garner who is thus part owner and should be shown under 1. of the form, or the amount shown as being used should be reduced to 3.6 c.f.s., and Maxine Call Garner could make later proofs.

The date of priority is November 9, 1962, the date the application was filed in this office instead of date shown which was approval date.

Prompt return of corrected Form 36 with accompanying Form 11 will still allow time for proofs to be made February 25th.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew
Enc. Form 36 and 11

30884

December 23, 1963

RE: Permit No. G-30884, C. LeRoy Garner

Herald Bulletin
Burley, Idaho

Gentlemen:

This office has today received instructions from Norman H. Nielson, Attorney at Law, acting on behalf of C. LeRoy Garner, to cancel further publications of the legal notice on the above numbered permit.

Publications already made will be at the expense of Mr. Garner.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

cc: Norman H. Nielson
C. LeRoy Garner

30884

December 23, 1963

RE: Permit No. G-30884, C. LeRoy Garner

Norman H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

In response to your request of December 20, 1963 we are today notifying the Herald Bulletin to cancel further publications on the above numbered permit.

It will be necessary for Mr. Garner to pay for the two weeks that the notice has already been published, and in event that the notice of cancellation does not reach the paper in time for this week's publication to be withdrawn he will have to pay for that also.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

cc: C. LeRoy Garner

30884

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

December 20, 1963

TELEPHONE
678-5574

State of Idaho
Department of Reclamation
State House
Boise, Idaho

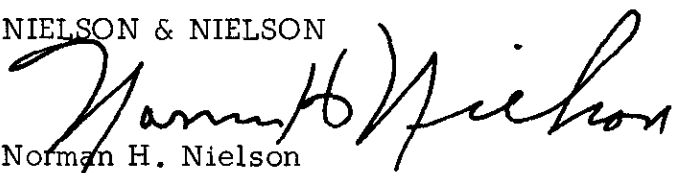
Dear Sir:

We filed an application for proof on Permit No. G-30884 which proof is to be made within the next few days. Mr. Garner contacted us today and asked us to write to you requesting that the proof on this permit be cancelled, as he desires to obtain additional water under this permit before making final proof.

Would you please cancel this proof out and notify the paper here at Burley, the Herald Bulletin, of this cancellation and we will make proof at some later date.

Very truly yours,

NIELSON & NIELSON


Norman H. Nielson

NHN:mh

30884

Re: Permit No. G-30884

C. LeRoy Garner
350 So. Oakley Hwy
Burley, Idaho

Dear Mr. Garner:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-30884. The proofs are to be made at 10:00 o'clock A.M., on the 7th day of January, 1964, before Norman H. Nielson, Burley, Idaho, Notary Public.

As of this date we have mailed the Notice to the Herald Bulletin, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

~~XXXXXXXXXXXX~~ CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

30884

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 31st day of December, 1962, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, Notary Public, at (address) Burley, Idaho, proof will be submitted of the completion of works for the diversion of ~~6.0~~ 3.6 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 30884, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is C. LeRoy Garner, 350 So. Oakley Hiway, Burley, Idaho
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 6.0 cubic feet per second.
3. The use to which said water has been applied is for irrigation purposes, and the amount applied to beneficial use is 6.0 cubic feet per second.
4. The point of diversion of said water is SW¹/₄ of the SW¹/₄ of Section 10, Township 11 So., Range 21, E.B.M.
5. The place where said water is used is SW¹/₄ of Section 10, Township 11 So., Range 21, E.B.M., the SW¹/₄ and the SE¹/₄ of the NW¹/₄ of Section 9, Township 11 So., Range 21, E.B.M.; the SE¹/₄ of Section 9, Township 11 So., Range 21, E.B.M.
6. The date of priority which said user is prepared to establish is November 9, 1962
January 14, 1963.

State Reclamation Engineer

30884

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 3, 1963

(P. O.) Burley, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Herald Bulletin

of

Burley, Idaho

published in

the county in which the works are situated.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

30884

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 3, 1963

(P. O.) Burley, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Herald Bulletin

of Burley, Idaho

published in

the county in which the works are situated.



(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

3088d

December 4, 1963

Re: Permit No. G-30884
C. LeRoy Garner

Herald Bulletin
Burley, Idaho

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to January 7, 1964, the date set for proof; the expense of the publication is to be paid by the applicant, C. LeRoy Garner of 350 So. Oakley Hiway, Burley, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

CET:vj
Enclosure

P.S. You will note that we have changed the date of proof to January 7, 1964, due to the fact that the notice did not arrive in this office until December 4, 1963, and therefore would not allow sufficient time for the four weeks publication on or before the original date.

30884

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

December 3, 1963

TELEPHONE
678-5574

Department of Reclamation
Statehouse
Boise, Idaho

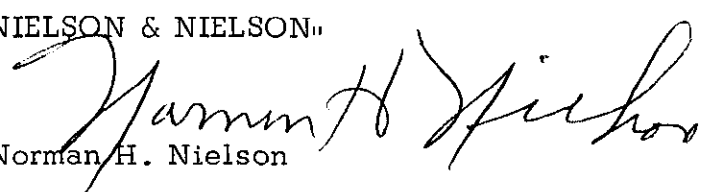
Gentlemen:

Enclosed you will find Form 36 in duplicate and Form
11 authorizing you to publish Form 36 in the Herald Bulletin
here at Burley, Idaho. Would you please process this application.

If there is any further information you need, would you
please let us know.

Very truly yours,

NIELSON & NIELSON


Norman H. Nielson

NHN:mh
Encl.

30884-

June 11, 1963

RE: Permit No. G-30884
C. McRoy Garner

Nielson & Nielson
Attorneys at Law
Box 367
Burley, Idaho

Gentlemen:

Enclosed are the assignment of a part of Permit No. G-30884
and the amendment to the land list on said permit.

Also enclosed is departmental receipt No. G-7945 in the
amount of \$1.50 covering the fee for recording the assign-
ment and the amendment.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. assignment
amendment
receipt

30884

RECEIVED
JUN 7 1963

Application for Amendment
To Permit to Appropriate the Public Waters Department of Reclamation
of the State of Idaho, No. G-30884

Comes now C. LeROY GARNER **State**
Reclamation Engineer, and represents to the ~~Department of Reclamation~~
of ~~Reclamation~~ of the State of Idaho.

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-30884, and requests that the list of lands to be irrigated, as described in said permit, be changed ^{to include} ~~to read~~ as follows:

The Southeast Quarter of Section 9 and that portion of the South Half
of the North Half of Section 9 not already included in said Permit No.
G-30884 making a total of approximately 180 acres.

making a total of _____ acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Burley, Idaho, this 6 day of June, 1963
C. LeRoy Garner
By [Signature]
His Attorney

Date of receipt at Office of Department of Reclamation June 7, 1963

STATE RECLAMATION ENGINEER
APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~

Deputy State Reclamation Engineer
I. Ralph W. Thomas, ~~Commissioner of Reclamation~~ of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G30884. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

[Signature]
Commissioner of Reclamation
Deputy State Reclamation Engineer

(Over)

30884

RECEIVED
JUN 7 1963

Department of Reclamation

JUN 5 1963

ASSIGNMENT

Department of Reclamation

120 inches

For value received, I hereby assign my right, title, and interest in and
to Permit to Appropriate the Public Waters of the State of Idaho, No 30884
to MAXINE CALL GARNER
of Burley, Cassia County, Idaho.

*

C. LeRoy Garner
Permit Holder

Gladys C. Garner
Wife of Permit Holder

STATE OF IDAHO)
County of) ss

On this 4th day of June, 19 63, before me, a Notary Public for the
State of Idaho, residing at Burley, Idaho

personally appeared C. LeRoy Garner and Gladys C. Garner
are
known to me to be the persons whose names ~~XX~~ subscribed to the within instrument,
and duly acknowledged to me that ~~t~~he~~y~~ executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal,
the day and year in this certificate first above written.

My commission expires May 12, 1966

Garner H. Gibson
Notary Public
Residing at Burley, Idaho

* If fractional part of permit is to be assigned, the same fractional part of
the land to which the assigned fraction is appurtenant should be shown.

Southeast Quarter, the South Half of the North Half of Section 9, Township 11
South, Range 21 E.B.M.

30884

June 5, 1963

Re: Permit No. 30884
C. LeRoy Garner

Nielson & Nielson
Attorneys at Law
Burley, Idaho

Attn: Norman H. Nielson

Dear Mr. Nielson:

Returned herewith is the assignment of 120
inches of the noted permit.

Kindly show, on the line with the * the land
to which this 120 inches is appurtenant. If that land is not
now on the permit record, an amendment to the land list is
necessary.

There is a recording fee of \$0.50 for the
assignment and \$1.00 for each amendment.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. assignment

30884

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

June 4, 1963

TELEPHONE
678-5574

Department of Reclamation
Statehouse
Boise, Idaho

Gentlemen:

Enclosed you will find Assignment No. 30884. Would
you please file the Assignment in your office.

Very truly yours,

NIELSON & NIELSON

Norman H. Nielson
Norman H. Nielson *By M. Hammond*

NHN:mh
Encl.

30884

January 17, 1963

Re: Permit No. G-30884
C. LeRoy Garner

Nielson & Nielson,
Attorneys at Law,
P. O. Box 367,
Burley, Idaho.

Attention: Norman H. Nielson

Gentlemen:

We enclose Permit No. G-30884 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-7549 which was issued covering payment in the amount of \$ 6.25 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl.
cc: C. LeRoy Garner
Rt. #2,
Burley, Idaho

30884

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

January 3, 1962

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Enclosed you will find the Notice of Application for permit to appropriate subterranean water, which has been published in the Herald Bulletin of Burley, Idaho.

This notice is attached to a copy of the notice which you sent to this office for publication.

As soon as the time limit has expired, would you please issue us a copy of the permit.

Very truly yours,

NIELSON & NIELSON

BY

NORMAN H. NIELSON

NHN:es

Encl.

30484

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE SUBTERRANEAN WATERS
OF THE STATE OF IDAHO IN ACCORDANCE WITH THE PROVISIONS OF
SECTION 42-233a, IDAHO CODE

NOTICE IS HEREBY GIVEN, That C. Leroy Garner of Burley, Idaho has made application No. G-38879 on the 9th day of November, 1962, to appropriate 6.0 cubic feet per second of subterranean water for irrigation.

That the point of diversion of said water is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, Twp. 11 S., Rge. 21 E., B.M., and that the lands to be irrigated are SW $\frac{1}{4}$, Sec. 10; S $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 9, Twp. 11 S., Rge. 21 E., B.M.

That any protests against the approval of this application must be filed in the Department of Reclamation at Boise, Idaho within thirty (30) days from the date of first publication of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 9th day of November, 1962.

Ralph W. Thomas

Deputy State Reclamation Engineer

Date of First Publication Dec. 7, 1962

Date of Last Publication Dec. 14, 1962

Last Date for Protest Jan. 7, 1963

SERVICE TO THE FOREGOING, by copy is hereby acknowledged this 30th day
of November, 1962.

C. Leroy Garner

Applicant

30884

AFFIDAVIT OF PUBLICATION

JAN 4 1962

STATE OF IDAHO
COUNTY OF CASSIA

ss.

Department of Reclamation

Deane Stanley Lusher II
That he is the printer of The Herald-Bulletin, a daily newspaper published at Burley in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published daily and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at last four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for *two* consecutive weeks, commencing with the issue dated *Dec 7 1962*, and ending with the issue dated *Dec 14 1962*.

Subscribed and sworn to before me this

14th day of

Dec 1962

Deane Stanley Lusher II
Notary Public in and for the State of Idaho
Residing at *Boyle*, Idaho

**NOTICE OF APPLICATION
FOR PERMIT TO
APPROPRIATE SUBTERRANEAN
WATERS OF THE STATE OF
IDAHO IN ACCORDANCE WITH
THE PROVISIONS OF**

SECTION 42-233a, IDAHO CODE

NOTICE IS HEREBY GIVEN,
That C. Leroy Garner of Burley,
Idaho, has made application No.
G-38879 on the 9th day of Novem-
ber, 1962, to appropriate 6.0 cubic
feet per second of subterranean
water for irrigation.

That the point of diversion of
said water is located in the SW¹/₄
SW¹/₄, Sec. 10, Twp. 11 S., Rge. 21
E., B.M. and that the lands to be
irrigated are SW¹/₄, Sec. 10; S¹/₂
NW¹/₄, S¹/₂ E., Sec. 9, Twp. 11 S.,
Rge. 21 E., B.M.

That any protests against the
approval of this application must
be filed in the Department of Rec-
lamation at Boise, Idaho within
thirty (30) days from the date
of first publication of this notice,
and such protest shall state the
name and address of the protest-
ant, and shall clearly set forth
his objection to the approval of
said application.

Dated this 9th day of Novem-
ber, 1962.

RALPH W. THOMAS,
Deputy State Reclamation
Engineer.

Date of First Publication Dec. 7,
1962.

Date of Last Publication, Dec.
14, 1962.

Last Date for Protest, January
7, 1963.

SERVICE TO THE FOREGOING
by copy is hereby acknowledged
this 30 day of November, 1962.

C. LEROY GARNER
Applicant.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

COUNTY OF CASSIA

ss.

Frank Stanley, first being duly sworn, deposes and says:
That he is the printer of The Herald-Bulletin, a daily newspaper published at Burley
in the County of Cassia, State of Idaho; that the said newspaper has a general circula-
tion in said county, and that the said newspaper is published daily and has been
continuously and uninterruptedly published in said county, not less frequently than
once a week, during a period of seventy-eight consecutive weeks immediately prior to
the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of
general circulation, made up of at least four pages of at least five columns each, print-
ed from typed matter or stereotyped forms of at least seventeen and three-fourths
inches depth, and during the whole of said time has had at least two hundred bona-
fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published
according to law, in the regular weekly editions of the said newspaper and not in any
supplement thereof, for 78 consecutive weeks, commencing with the issue
dated Dec 7, 1962, and ending with the issue dated Dec 14, 1962.

Subscribed and sworn to before me this

30th day of Dec, 1962

Frank Stanley
Notary Public in and for the State of Idaho
Residing at Burley, Idaho



THE HERALD-BULLETIN

129 East Main St.

Phone OR 8-2201

Burley, Idaho
December 10, 1962

RECEIVED
DEC 11 1962
Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

Attention: R W Thomas,
Deputy, State Reclamation Engineer

Dear Mr. Thomas:

Enclosed please find proof of State Permit
G-38879, in the name of C. Leroy Garner of Burley.

Sincerely yours,

(Mrs) L. P. Murray
Legal Department

30884

✓
m

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE SUBTERRANEAN WATERS
OF THE STATE OF IDAHO IN ACCORDANCE WITH THE PROVISIONS OF
SECTION 42-233a, IDAHO CODE

NOTICE IS HEREBY GIVEN, That C. Leroy Garner of Burley, Idaho has made application No. G-38879 on the 9th day of November, 1962, to appropriate 6.0 cubic feet per second of subterranean water for irrigation.

That the point of diversion of said water is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, Twp. 11 S., Rge. 21 E., B.M., and that the lands to be irrigated are SW $\frac{1}{4}$, Sec. 10; S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 9, Twp. 11 S., Rge. 21 E., B.M.

That any protests against the approval of this application must be filed in the Department of Reclamation at Boise, Idaho within thirty (30) days from the date of first publication of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 9th day of November, 1962.

Deputy State Reclamation Engineer

Date of First Publication Nov 11 1962

Date of Last Publication Nov 14 1962

Last Date for Protest Nov 2 1963

SERVICE TO THE FOREGOING, by copy is hereby acknowledged this 30 day
of Nov, 1962.

Applicant

30884

BLANDFORD & BLANDFORD
LAWYERS

J. H. BLANDFORD
TWIN FALLS, IDAHO

A. L. BLANDFORD
KIMBERLY, IDAHO

November 12, 1962

RECEIVED
NOV 13 1962

Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Mr. Ralph W. Thomas

Dear Mr. Thomas:

In reply to the enclosed letter, I presume that the application was filed by LeRoy Garner. However, Mr. Garner is not my client, and I do not know why our name was used in this matter. We represent only the owners of the land on which the deep well is located.

I will send a copy of your letter to Mr. Garner for his information. I realize that a Critical Ground Water Area is involved and that publication of a legal notice would be necessary.

Yours very truly,

BLANDFORD AND BLANDFORD

by



ALB:cl

Enclosure.

cc: Mr. C. LeRoy Garner
Route 2
Burley, Idaho

30884

Blandford & Blandford
Attorneys at Law
Box 363
Kimberly, Idaho

Dear Mr. Blandford:

We have an application to appropriate 6.0 cubic feet per second of water from a well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 11 S., R. 21 E., B.M. to irrigate the SW $\frac{1}{4}$ of said Sec. 10 and S $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 9 adjoining.

This well is in a Critical Ground Water Area and a legal notice must be published in a Cassia County paper.

This information is given as you requested.

Very truly yours,

GEO. M. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr



30884

November 9, 1962

RE: Application No. G-38879
C. Leroy Garner

Nielson & Nielson
Attorneys at Law
Box 367
Burley, Idaho

Attention: Norman H. Nielson

Dear Mr. Nielson:

Enclosed are original and two copies of a legal notice in regard to the application for permit to divert water from a well in a Critical Ground Water Area.

Kindly date and sign each acknowledging receipt of the notice. Obtain dates of publication, once each week for two consecutive weeks, and insert in the proper lines. The last date for protest will be 30 days after date of first publication. Send original to the Cassia County paper, return one copy to this office and retain one copy for your files.

Remit the Affidavit of Publication prior to the last date for protest.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr

Enc. legal notice 3

30884

November 9, 1962

11/9/62 10:57
Blandford & Blandford
Attorneys at Law
Box 363
Kimberly, Idaho

Dear Mr. Blandford:

We have an application to appropriate 6.0 cubic feet per second of water from a well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 11 S., R. 21 E., B.M. to irrigate the SW $\frac{1}{4}$ of said Sec. 10 and S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 9 adjoining.

This well is in a Critical Ground Water Area and a legal notice must be published in a Cassia County paper.

This information is given as you requested.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr

30884

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

November 8, 1962

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

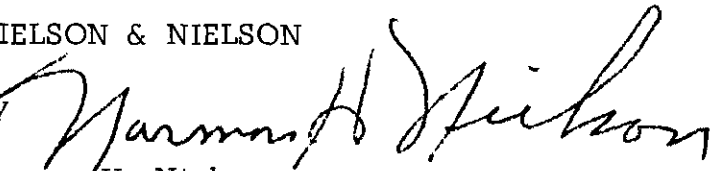
Enclosed you will find an Application for Permit to appropriate the subterranean waters together with my check for \$6.25.

It is my understanding that this land that appears in the permit is in a critical water area. Would you send us the necessary papers for publication under said permit?

Very truly your,

NIELSON & NIELSON

By


Norman H. Nielson

NHN:nw
Enclosure

30884

September 5, 1962

Re: Application for Permit
C. LeRoy Garner

Norman H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

Returned herewith is the application for permit with attached check for \$6.25 filing fee.

Under 13 is shown that there is no other water rights appurtenant to the land shown. We are wondering if this is a deliberate misstatement, though we fail to understand just why it should be made. Maxine Call Garner holds a permit which can be licensed for 1.82 cubic feet per second from a well in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T. 11 S., R. 21 E. to irrigate 245 acres in S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, said Section 9, all of which is shown in this application. The maps indicate that land in the N $\frac{1}{2}$ N $\frac{1}{2}$, Sec. 9, should also be included in the land list.

This well is shown in the immediate vicinity of the Maxine Call Garner well and we believe she should give her consent to this application before it can be considered.

The well is in a critical ground water area and a legal notice of the application must be published before any action can be taken.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:dw
Enc. application with
check

30884

This Application
was APPROVED
under the provisions
of the law set forth
on this page.

(42-233a and 42-233b)

This law was
revoked March
25, 1963

42-233a. NOTICE OF APPLICATION.—Within a period of ten days after the filing of an application for permit with the state reclamation engineer, as herein provided, the state reclamation engineer in a critical ground water area, as hereinafter defined in this section, shall cause a notice of such application stating the name of the applicant, the location of the well or wells, the amount of the flow of water proposed to be used, and the description of the premises upon which the water is proposed to be used. Such notice shall also state that all persons having an interest in the critical ground water area desiring to oppose the issuance of a permit pursuant to such application, must within a period of thirty days from the first publication of such notice file in the office of the state reclamation engineer a protest to such application. A copy of the notice shall be furnished to the applicant, who shall cause the same to be published in a newspaper published in the county where the well described in said application is proposed to be located; or if no newspaper is published in such county, then in a newspaper of general circulation in such county. Publication of such notice shall be made two times, once each week for two consecutive weeks, and proof of such publication shall be furnished by the applicant to the state reclamation engineer. "Critical ground water area" means any ground water basin, or designated part thereof, not having sufficient ground water to provide a reasonably safe supply for irrigation of cultivated lands in the basin at the then current rates of withdrawal, as may be determined, from time to time, by the State Reclamation Engineer.

In the event the application for permit is made with respect to an area that has not been designated as a critical ground water area the state Reclamation Engineer shall forthwith issue a permit in accordance with the provisions of Section 42-234 without requiring compliance with the provisions of the preceding paragraph of this section or the provisions of Section 42-233b.

42-233b. PROTEST AND HEARING.—All persons desiring to be heard in protest of the granting of a permit pursuant to an application made under this act must file with the state reclamation engineer within thirty days after the first publication of the notice of such application as hereinabove provided, a protest against such application; provided, that for good cause shown the state reclamation engineer may permit protests to be filed any time prior to the completion of the hearing on such application. After the lapse of thirty days following the first publication as hereinabove provided, the state reclamation engineer shall, if any protests against the application have been filed, fix a time and place for the hearing of such application. The time for holding such hearing shall not be more than fifty days from the first publication of said notice. Notice of the hearing shall be given by registered mail to the applicant and to all protestants.

The hearing shall be conducted before the state reclamation engineer under reasonable rules and regulations of procedure promulgated by him. Technical rules of pleading and evidence need not be applied. The state reclamation engineer may adjourn said hearing from time to time and place to place within the reasonable exercise of his discretion. All parties to the hearing as well as the state reclamation engineer shall have the right to subpoena witnesses, who shall testify under oath at such hearing. The state reclamation engineer shall have authority to administer oath to such witnesses as appear before him to give testimony. A full and complete record of all proceedings had before the state reclamation engineer on any hearing had and all testimony shall be taken down by a reporter appointed by the state reclamation engineer and all parties to the hearing shall be entitled to be heard in person or by attorney.

If no person protests an application within the period of thirty days following the first publication of notice thereof as hereinabove provided, and if the state reclamation engineer has determined from investigation that there probably is ground water subject to appropriation at the location of the proposed well, the state reclamation engineer may issue a permit pursuant to such application forthwith and for an amount of water not to exceed the amount of water determined to be there subject to appropriation; but if the state reclamation engineer, from the investigation made by him on said application as herein provided or from other information that has come officially to his attention has reason to believe that said application is not made in good faith, is made for delay, or that there is no water subject to appropriation at the location of the proposed well in said application described, then the state reclamation engineer shall issue a citation to the applicant to appear and show cause, if any there be, why such application should not be denied for any of these reasons. The hearing on said citation shall be fixed, noticed and conducted in the same manner as hearings on protest of application as in this section hereinabove provided.

If, at the conclusion of any hearing held pursuant to this section the state reclamation engineer finds that there is ground water available for appropriation at the location of the proposed well described in the application, and that said application is made in good faith and not for delay, then the state reclamation engineer shall issue a permit pursuant to such application; otherwise, the application shall be denied; provided, however, that if ground water at such location is available in a lesser amount than that applied for, the state reclamation engineer may issue a permit for the use of such water to the extent that such water is available for appropriation.

30884

**NOTICE OF APPLICATION
FOR PERMIT TO
APPROPRIATE SUBTERRANEAN
WATERS OF THE STATE OF
IDAHO IN ACCORDANCE WITH
THE PROVISIONS OF
SECTION 42-233a, IDAHO CODE**

NOTICE IS HEREBY GIVEN,
That C. Leroy Garner of Burley,
Idaho, has made application No.
3-38879 on the 9th day of Novem-
ber, 1962, to appropriate 6.0 cubic
feet per second of subterranean
water for irrigation.

That the point of diversion of
said water is located in the SW $\frac{1}{4}$
SW $\frac{1}{4}$, Sec. 10, Twp. 11 S., Rge. 21
E., B.M., and that the lands to be
irrigated are SW $\frac{1}{4}$, Sec. 10; S $\frac{1}{2}$
NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 9, Twp. 11 S.,
Rge. 21 E., B.M.

That any protests against the
approval of this application must
be filed in the Department of Rec-
lamation at Boise, Idaho within
thirty (30) days from the date
of first publication of this notice,
and such protest shall state the
name and address of the protest-
ant, and shall clearly set forth
his objection to the approval of
said application.

Dated this 9th day of Novem-
ber, 1962.

RALPH W. THOMAS,
Deputy State Reclamation
Engineer.

Date of First Publication Dec. 7,
1962.

Date of Last Publication, Dec.
4, 1962.

Last Date for Protest, January
1, 1963.

SERVICE TO THE FOREGOING,
a copy is hereby acknowledged
this 30 day of November, 1962.

C. LEROY GARNER
Applicant.